

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARIO R. RODAS PORTILLO

Plaintiff,

v.

CITY OF SHAFTER, et al.,

Defendants.

No. 1:23-cv-00920-JLT-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION AND TEMPORARY
RESTRAINING ORDER WITHOUT
PREJUDICE

(Docs. 10, 14)

Plaintiff Mario R. Rodas Portillo is a county jail inmate proceeding pro se and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. On August 30, 2023, the assigned magistrate judge issued findings and recommendations that recommended Plaintiff's motion for preliminary injunction and temporary restraining order be denied. (Doc. 14.) The Court served the findings and recommendations on Plaintiff and also notified him that any objections thereto were to be filed within fourteen (14) days after service. (*Id.*) Plaintiff filed objections on September 11, 2023. (Doc. 15.)

According to 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including Plaintiff's objections, the Court finds that the findings and recommendations are supported by the record and proper analysis. Plaintiff's objections do not express disagreement with the findings and recommendations and instead request that his motion for preliminary injunction and temporary restraining order be considered after his amended complaint is screened. (Doc. 15.) Plaintiff is not precluded from renewing his motion for preliminary injunction and temporary restraining order following

1 screening of his first amended complaint. Thus, the Court **ORDERS:**

- 2 1. The findings and recommendations issued on August 30, 2023 (Doc. 14) are
3 **ADOPTED IN FULL.**
- 4 2. Plaintiff's motion for preliminary injunction and temporary restraining order (Doc.
5 10) is **DENIED** without prejudice.

6
7 IT IS SO ORDERED.

8 Dated: **September 12, 2023**


UNITED STATES DISTRICT JUDGE